

MAR - 1 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

ROSARIO DLG KUMAGAI,)	Civil Action No. 05-0037
)	
Plaintiff)	
)	
v.)	ORDER TAKING MOTION
)	OFF-CALENDAR ONLY AS TO
)	DEFENDANTS CDA AND
PAMELA BROWN, <i>et al.</i> ,)	MARIA LOURDES SEMAN
)	ADA and FOR SUPPLEMENTAL
Defendants)	BRIEFING BY THE TWO PARTIES
_____)	AND THE ATTORNEY GENERAL

An issue raised by defendants Commonwealth Development Authority (“CDA”) and Ada’s motion to dismiss is the status of CDA as a truly autonomous agency or as an “arm” of the Commonwealth government. The court’s determination of this issue will affect defenses available to these two defendants and the issue is not sufficiently addressed by the parties to enable the court to make an informed decision. Accordingly,

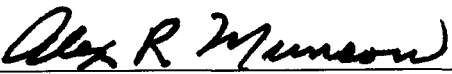
IT IS ORDERED that defendants CDA and Ada’s motion to dismiss, presently set for March 6, 2006, be and hereby is taken off-calendar; and,

IT IS FURTHER ORDERED that the parties (including the Office of the Attorney General) shall meet and confer to agree upon the form of the motion (i.e. to dismiss or for summary judgment), a new briefing schedule, and a new hearing date and time; and,

IT IS FURTHER ORDERED that the Commonwealth Office of the Attorney General shall submit a brief stating its position on the Commonwealth Development Authority's status as an autonomous agency or arm of the Commonwealth government. This brief shall be filed on or before the date the CDA's opening brief is due.

All other motions set for hearing on March 6, 2006, at 1:30 p.m. will proceed as scheduled.

DATED this 1st day of March, 2006.



ALEX R. MUNSON
Judge